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AUTHOR Sedita, Joan
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ABSTRACT

Section 504 of the Rehabilitation Act Amendments of 1973 and its implications for learning disabled adults desiring a postsecondary education are examined, and suggestions for services that might best meet the needs of this group are offered. Section 504 is a basic civil rights provision aimed at ending discrimination against handicapped citizens. According to the regulation, schools were given one year to perform a self-evaluation of their services relative to the handicapped (by 1978) and three years to fully implement the law (1980). The regulation is applicable to all postsecondary educational programs and activities that receive federal financial assistance. In colleges and universities, recruitment, admissions, and treatment of students must be free of discrimination. Reasonable modification of academic requirements must be made, which might include extension of time for completing programs or adaptation of the way certain courses are conducted. Students with impaired sensory or manual skills must be informed about auxiliary aids provided through charitable or governmental organization. Among the services needed most often by the learning disabled students are diagnostics, program guidance, individual or group tutoring, and instructor intervention. It is suggested that the current controversy over what constitutes a learning disability and which testing instruments can accurately diagnose this handicap, as well as the variation from student to student in type of deficit and degree of disability, may make it difficult for learning disabled students to receive needed services. Additional considerations pertaining to admissions, academic adjustments, auxiliary aids, administration and enforcement, cost, and attitudes are addressed. (SW)

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SECTION 504

HELP FOR THE LEARNING DISABLED COLLEGE STUDENT

BY JOAN SEDITA

LANDMARK SCHOOL
PRIDES CROSSING, MA. 01965

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> "No otherwise qualified handicapped individual in the United States shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Section 504 of The Vocational Rehabilitation Act Amendments of 1973.

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FOREWARD

Joan Sedita hopes to encourage young people with learning disabilities to pursue higher education. She correctly identifies a new educational frontier. I have heard from parents and young adults across the nation who wonder if they dare pursue further education, and also wonder if the provisions of Section 504 of the Rehabilitation Act mean the colleges and universities will make efforts to assist students with learning disabilities. Students and parents should discuss this problem frankly with college officials with the expectation that reasonable solutions can be developed to assure access to higher education opportunity.

Edwin Martin, Director
U.S. Bureau of Education
for the Handicapped
Washington, D.C.

INTRODUCTION

The past decade has witnessed a tremendous development in programs and services to meet the needs of learning disabled students. However, the field is relatively new, and because the most successful remediation begins with early school experience, the major emphasis has been placed on learning disabled children at the elementary level. Although recent trends reflect an increase in service for the learning disabled at the secondary level, a review of the literature indicates that there is significant deficiency in research, theory, and remediation techniques for learning disabled adults (Davis, 1975; Cox, 1977).

The needs of learning disabled adults can be grouped into two categories: 1) those basic literacy skills necessary for every-day living (reading job applications, maintaining a checking-account balance, etc.), and 2) those higher level reading and writing skills necessary to pursue a post-secondary education. In some states as many as 15% of the school-age population can be classified as exceptional learners (Fielding, 1977). By 1976, an estimate

from the Bureau of Education for the Handicapped indicated that there were at least one million functionally illiterate adults in the United States, and a recent trend has seen some of these people who had difficulty learning normally enroll in post-secondary institutions (Ugland & Duane, 1976). Adults with learning disabilities and related disorders make up a large body of potential students for colleges. While the first group (adult illiterates) is of major significance and deserves immediate and major attention, it is the second group that is the concern of this present publication.

In our society, many bright, highly motivated learning disabled people need post-secondary educations to enable them to fill jobs and become contributing members of society. Many have high intellectual ability and creative talent, the development of which benefits the society as well as the well-being of these individuals (Fielding).

In addition to societal demands for a college education, there are several other factors which may contribute to the increase in enrollment in post-secondary institutions. The changes in educational philosophy toward the learning disabled and the growth of programs at the elementary and secondary levels have enabled more learning disabled students successfully to receive services, encouraging them to try college (Moreland, 1975). Along with an increased confidence that they can succeed in college has been a waiver of admissions requirements (open enrollment), particularly at community colleges (Moreland; Ugland & Duane). The increase in available financial aid and low tuition institutions also encourages more learning disabled students to enter college.

Despite the growth in the number of learning disabled adults who might choose to attend post-secondary institutions, there is still often a lack of awareness and understanding among teachers and the general public as to the needs of the learning disabled adult (Cox). Because many college instructors know little about learning disabilities, the problems of these students go unnoticed. They are left to rely on their own coping skills, and often do not receive the support services from the college that could make the difference between success and failure (Davis). Although many institutions of higher education have adopted more of a "developmental education" philosophy and provide remedial reading and study skills classes, there are few programs available which specifically meet the needs of learning disabled college students and early field reports unfortunately suggest that some of these are promising more than they are delivering.

If the need and desire for the learning disabled to attend college is increasing, certain questions are raised: What changes must institutions of higher education make, and what services must they provide to meet the needs of these students? Are there implications for federal legislation as related to these changes?

In an effort to clarify some of the issues raised, this paper looks at Section 504 of the Rehabilitation Act of 1973 and the implications it has for learning disabled adults desiring a post-secondary education. Suggestions are given for services which might best meet the needs of this group. It should be noted that the

literature regarding the learning disabled at the college level as well as implications of Section 504 for colleges is limited. The learning disabilities field needs to broaden its understanding of techniques and approaches for working with this group, and this information should be shared with colleges and universities to help them comply with 504 lest important Federal funds be lost.

SECTION 504

Section 504 is a basic civil rights provision aimed at ending discrimination against handicapped citizens. Section 504 was enacted through P.L. 93-112, the Vocational Rehabilitation Act Amendments of 1973. Although the actual language of Section 504 is brief, its implications are far-reaching (Ballard & Zettel, 1977). The statute reads:

> No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Rehabilitation Act of 1973 was signed into law on September 25, 1973. However, Section 504 had no real force without an implementing regulation. HEW Secretary Joseph A. Califano, Jr. signed the regulations on April 28, 1977 (Dolan & Dolan, 1978). Secretary Califano stated:

> Section 504 prohibits discrimination against programs or activities. These regulations, which will become effective on June 3, 1977, will have an impact on virtually every public school system, post-secondary institution, social service agency, and health care provider in this nation. (MacGugan, 1978).[1]

President Carter made a strong statement on the commitment of his administration to Section 504 in the following remarks:

> The Bill of Rights for Handicapped Individuals was spelled out in Title V of the Rehabilitation Act of 1973, and we are going to enforce the regulations that are specified in that bill (Dolan & Dolan).[2]

Section 504 was built on the premise that the handicapped had not been included in the privileges provided by a mainstreamed educational process. Secretary Califano singled out the mainstreaming emphasis in the law when he stated that no longer will the handicapped person be segregated in private and public schools. They must be mainstreamed into the educational process and "be educated with the non-handicapped in regular classrooms to the maximum extent possible" (MacGugan).[3]

According to the regulation, schools were given one year to perform a self-evaluation of their services relative to the handicapped (by 1978), and three years to fully implement the law (by 1980) (MacGugan).

Subpart E of Section 504 is appli.able

1. Letter from Joseph A. Califano, Jr., HEW, Washington, D.C. May, 1977.
2. Opinion expressed by President Jimmy Carter in an address to the White House Conference on Handicapped Individuals, May 23, 1977, Washington, D.C.
3. HEW NEWS, U.S. Department of HEW, Statement by Joseph A. Califano, Jr., Secretary Concerning Section 504 of the Rehabilitation Act (0-234-665, April 28, 1977) (Washington: U.S. Government Printing Office, 1977) p.1.

to all post-secondary educational programs and activities which receive federal financial assistance. Briefly, in colleges and universities, recruitment, admissions and treatment of students must be free of discrimination. Reasonable modification of academic requirements must be made, which might include extension of time for completing programs or adaptation of the way certain courses are conducted. Students with impaired sensory or manual skills must be provided auxiliary aids. This may be accomplished by informing them of resources already provided by charitable or governmental organizations. Accessibility of programs to handicapped students must be assured, including the removal of architectural barriers when a program cannot be made accessible by other means (Dolan & Dolan).

The educational needs of the learning disabled are often not as apparent as those of other handicapped students such as the blind or deaf. However, by definition, Section 504 clearly applies to these students as well. The term "handicapped" includes mental retardation; speech, hearing, visual and orthopedic impairment; other health impaired; seriously emotionally disturbed; and specific learning disabilities such as perceptual handicapped, dyslexia, minimal brain dysfunction and developmental aphasia (Ballard & Zettel; Dolan & Dolan).

THE NEEDS OF COLLEGE LEARNING DISABLED AND IMPLICATIONS OF SECTION 504

In 1976, an evaluation was done of the final year of a three year demonstration project at three Minnesota Community Colleges which sought to identify learning disabled students, delineate their special learning problems, and aid them in succeeding in their academic programs (Ugland & Duane, 1976). Ugland and Duane suggested that there are two ways to serve the needs of the learning disabled student in a college setting: 1) the student adapts to existing institutional standards with help from counseling, tutoring and support services, and 2) the institution adapts its basic process of teaching and program requirements to the learning styles of the student. They maintained that a combination of both approaches is necessary to produce successful learners. This has certainly been the case with learning disabled children and adolescents who, despite support services they may receive outside the classroom, can not succeed in the regular classroom without the sensitivity to and adaptation by teachers to their special educational needs.

Part of Ugland and Duane's general conclusions were that some of the services needed most often by the learning disabled students were diagnostic, program guidance, individual or group tutoring, and instructor intervention. They also concluded that learning disabled students who have severely limited reading and writing ability are able to make normal progress in college when they receive special assistance similar to that provided through their project.

ADMISSIONS

Section 504 requires that handicapped students may not, on the basis of their disability, be denied admissions or subjected to discrimination in admissions recruitment at a post-

secondary institution. Also, there may not be a quota on the number of handicapped persons admitted. Admissions testing must be as nondiscriminatory as possible, and the tests must measure what they are purported to measure rather than being indicative of the handicap of the person being tested (Dolan & Dolan, 1978).

Two common admission policies that learning disabled persons might encounter at universities are: 1) open admissions (typically requiring high school diploma or equivalent), and 2) regular admission (typically requiring high school diploma or equivalent, rank and grade point average in high school class, and acceptable scores on a designated standardized test (Fielding, 1977). Section 504 has implications for both types of policies. Providing a learning disabled student has a high school diploma or equivalent, he/she should not be denied admission to any program maintaining open admissions.

The greatest impact of Section 504 appears to be on admission policies using standardized tests and requiring high school rank and grade point average. Since services for learning disabled students at many secondary schools are still inadequate, grade averages and class rank may merely be reflections of the learning disabled handicap. Also, there are programs for learning disabled adolescents which do not give standard grades. For these reasons, post-secondary institutions might have to exclude or reconsider these requirements for learning disabled applicants.

Admissions testing is complex and may be a controversial area as a result of Section 504. The Scholastic Aptitude Tests (SAT, Educational Testing Service of Princeton, N.J.) are a common requirement of many colleges. There are three special editions of this test available for handicapped students: regular size type, large type, and braille. All three editions are untimed, and as necessary, a handicapped student is permitted to use the services of a reader, someone to whom answers may be dictated, and recordings of tests (Fielding). However, Dolan and Dolan believe that as a result of Section 504, it is only a matter of time before the SAT system is challenged. Even though special arrangements are made for taking the test, scores are reported to colleges with a blanket disclaimer of the reliability of scores because of the special conditions. Dolan and Dolan believe that this amounts to an open admission that the testing may be reflecting the individual handicapping condition rather than aptitude or achievement level. In the same way, high school grades often reflect reading and, especially, writing ability as related to taking tests rather than being a measure of an individual's actual knowledge about a subject matter area.

ACADEMIC ADJUSTMENTS

Section 504 requires that a university make modifications of its academic requirements to insure that they do not discriminate against handicapped individuals, and modifications may include lengthening of the time for degree requirements or substitution of specific courses. Methods of program operation will need to be adapted to facilitate the education of the handicapped, and examinations should reflect achievement and not the handicapping condition (MacGugan, 1978; Dolan & Dolan, 1978).

What academic adjustments might be necessary specifically for the learning disabled? Although the majority of learning disabled students can be characterized as having difficulty with reading and writing skills, the degree and scope of these difficulties varies, as do the deficits in underlying psychological processes (visual and/or auditory perception, visual-motor, sequencing, or integrating abilities). Therefore, academic adjustments must be made on an individual needs basis.

Testing, diagnosis and assessment must be conducted to determine special service needs. Results should be discussed with students so that they may understand which specific deficits in learning they have and become active participants in academic adjustments (Ugland & Duane, 1976; Cox, 1977).

There are several situations where waivers and course modifications might need to be made. Many learning disabled students have extreme difficulty learning a second language, and foreign language requirements may have to be modified or dropped. Because these students must take more time to study and complete assignments to compensate for their learning disability, the minimum number of course requirements per semester might have to be adjusted, as well as total length of time to complete degrees. Since many learning disabled students require some one-to-one instruction, it might be necessary to provide tutors for content area courses, as well as basic skills tutoring to improve reading, writing and study skills.

The regulations require alternate testing to measure achievement accurately rather than the disability (Dolan & Dolan). Instructors may have to give tests orally to those students whose reading and writing skills are low (Moreland, 1975). Class assignments may also have to be tailored in much the same way.

The most common deficits and resulting learning disabilities affect the ability to read textbook and research materials, write compositions (spelling, handwriting, and organizational skills), and integrate lecture information to take notes. Traditionally, higher education has consisted of textbook-centered lecture courses (Moreland). What can be done to alter the teaching approach for the learning disabled?

It has been suggested that college instructors learn about learning disabilities and expand their teaching styles (Moreland; Davis, 1975; Ugland & Duane; Cox; Fielding, 1977). Some learning disabled students learn better in a discussion format. For many, an oral presentation may better reflect their knowledge of a topic than a term paper. In this case, effort for preparation is just as challenging, yet this option offers the student a way to compensate for his/her writing disability.

A rigid insistence on reading and writing as the only way to learn is not sensitive to the strengths and weaknesses of learning disabled students The development of all language skills should be stressed, and arrangements should be made for the learning disabled student to work in his/her own way (Davis). But in order for instructors to make adjustments in their teaching style, they must be flexible, and they need to learn about learning disabilities. In-service training and the addition of a staff learning disabilities specialist as a consultant could provide this informa-

tion. In their evaluation of the demonstration project for learning disabled college students, Ugland and Duane report that responsiveness from instructors to consultation about the effects of learning disabilities varied, but that "the primary tangible modification resulting from consultation... was development or utilization of alternative teaching or testing materials and strategies." (p. 19)

Although the Section 504 regulation does not specify the provision of in-service training or consultation, it seems that if a college is ready to serve the needs of high potential learning disabled students, it will call on the experience of learning disabilities specialists for assistance in determining academic adjustments.

AUXILIARY AIDS

Section 504 requires colleges and universities to have auxiliary aids available when necessary, which may include taped texts and readers for the blind (MacGugan, 1978; Dolan & Dolan, 1978).

For the learning disabled, visual skill deficits in reading might be treated in the same way as blind handicaps by providing a bookless curriculum geared to the needs of individuals who can learn advanced material, but who cannot read (Cox, 1977). Those whose writing deficits hinder their ability to take notes should be allowed to bring recorders to class. Although providing notetakers is not an auxiliary aid specifically mentioned under the regulation, this might also be considered (Dolan & Dolan).

ADMINISTRATION AND ENFORCEMENT

Section 504 does not require the establishment of a separate office to handle the affairs of disabled students, although most colleges and universities do set up such an office. Dolan and Dolan (1978) suggest keeping any office for disabled students small. The office should provide information, but services should come from departments in the university. They feel that it is up to the university to establish appropriate administrative mechanisms and suggest an approach where the student would first consult with a department advisor to arrange such things as academic modifications. A coordinator or "case manager" of disabled student affairs could then "troubleshoot" problems which cannot be resolved through instructors and departments. It should be the responsibility of the student to make his or her learning disability known and to seek information about what services are provided.

In reacting to Section 504, administrators might worry about problems with implementation (expenditure, possible law suits), and instructors may feel they are not prepared to provide special services for handicapped students. In general, there is likely to be disagreement over the wisdom of the legislation and how it should be implemented (MacGugan, 1978). The key to success for the learning disabled students, as for all handicapped students, is the atmosphere of acceptance by administration and faculty.

MacGugan points out that if a post-secondary institution does not accept advocacy responsibility, then the courts will eventually force this responsibility on them. Under the enforcement procedures for Section 504, individuals may file a complaint

of discrimination with the office for Civil Rights, Department HEW, which will investigate the complaint. If necessary, a formal hearing may ensue, and the office for Civil Rights could ultimately petition that all Federal monies to the institution be stopped (Dolan & Dolan).

Although Section 504 encourages the development of campus or systems grievance procedures for the handicapped, it also provides them the option of suing without first exhausting administrative remedies. MacGugan maintains that administration must give adequate support and take the responsibility toward the implementation of the law. They must be involved in arguments, attitude changes, advocacy controversies, and program and instructional needs of their faculties and students.

COST

Section 504 requires that the provision of education and related services to the handicapped be at no cost to individuals or their parents or guardians, although private funds are not prohibited (Ballard & Zettel, 1977).

Although an obvious impact of Section 504 on colleges and universities is an economic one, the cost of providing services to the learning disabled student may not be as great as it would first appear. Ugland and Duane (1976) believe that the total service potential of a learning disabilities program in higher education can be greatly expanded with little additional cost through the use of peer tutors and existing community resources (such as taped texts provided for the blind). The cost of services provided in their demonstration project for the last year was less than $150 per student.

ATTITUDE

Because the law is in its beginning stages of implementation, there is virtually no literature on the impact Section 504 will have on colleges. MacGugan (1978) suggests that there will be major attitudinal changes which will occur from increased contact between handicapped and non-handicapped individuals. He feels the main barriers to implementation of this law are attitudinal.

MacGugan attempted to analyze the implications of Section 504 on Leeward Community College in Hawaii. He found that in general, the attitudes among instructors and administrators concerning 504 ran the "attitudinal ladder" including indifference, ignorance, and fear of the unknown. Instructors, as a group, were semi-interested in the law, but they all had problems not responding at first in a negative manner to 504. MacGugan states:

> All instructors exhibited about the same degree of panic over having to quickly comply with 504... to hurriedly rethink how a blind or deaf student could be accommodated to the way the instructor was presently doing things... Every instructor envisioned themselves facing a special education problem they had no training to handle and, consequently, felt taken advantage of by the law. This frustration resulted in many different kinds of reactions, the worst of which was the "take pity" response of inflating grades. (p. 21)

He predicts that attitudes will improve as a result of the steady increase in the number of handicapped students attempting higher education.

Instructors and administrators must be educated about the special needs of the learning disabled and of their rights to an education without discrimination if they are to develop the attitudes necessary to accommodate their learning needs.

CONCLUSION AND RECOMMENDATIONS

Section 504 will have an impact on every post-secondary institution in the nation, and its implications for change should be far-reaching. However, the effects of a learning disability and the subsequent special educational needs are not as obvious as they might be with other handicapping conditions. The current controversy over what constitutes a learning disability and which testing imstruments can accurately diagnose this handicap , as well as the variation from student to student in type of deficit and degree of disability, may make it difficult for the learning disabled student to receive the services he/she needs to complete a post-secondary education successfully. There are no definitive answers about which specific services are needed and the extent to which colleges must supply these services to comply with the law. A body of practice and perhaps legal opinion must be developed, and the sharing of information must be expanded.

Institutions of higher education are likely to become progressively more familiar with their responsibilities to the learning disabled under Section 504. Before they can take on the challenge of providing services for these students, they will hopefully have information on what a successful program needs. This should be quality information based on experience with college-bound learning disability students.

Students will have to make known their disability and educational needs and monitor program compliance with the law. Because the field is new, they should be prepared for a lack of understanding on the part of some instructors and counselors who have not yet had experience with learning disabilities.

Parents should aid and encourage their sons/daughters in pursuing a college education. A dossier of all diagnostic statements about the student should be gathered in order to document the learning disability. A medical diagnosis including specific recommendations is important. Parents must be active in making sure their children are doing what is necessary to succeed, such as having them organize their study time and work in a quiet area, keeping in touch with college counselors, and recommending that a minimum of courses be taken each semester.

There is sure to be debate over the extent to which adjustments must be made to assure non-discrimination on the basis of handicap. Fielding (1977) sums up the importance of providing equal opportunities in higher education to the learning disabled when he says:

> This great mass of human resources can be developed and through development will pay dividends to the individual and to our society. Assumption of responsibility has been a way of life in American society... and we can expect a greater effort on the part of institutions to respond to the challenge. (p. 5)

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